CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

AUGUST 3, 2004

INVOCATION
Michael Chandler of the Central Coast Rescue Mission gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG
Councilmember Orach led the pledge of allegiance.

ROLL CALL
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino.

MEMBERS ABSENT
Councilmember Patino.

ALSO PRESENT
City Manager Ness, Assistant City Manager Haydon, Interim City Attorney Stockton, Outgoing Director of Administrative Services Cox, Incoming Director of Administrative Services Snodgrass, Director of Community Development Lindsey, Director of Public Works Karp, Police Chief Macagni, Recreation and Parks Director Posada, Fire Chief Ortiz, Director of Utilities Chisam, and Chief Deputy City Clerk Perez.

RESOLUTION COMMENDING MICHAEL COX
Mayor Lavagnino read a resolution recognizing and commending Michael Cox, Director of Administrative Services, for over twenty-one years of outstanding service to the City and wishing him well on his retirement.

Resolution No. 2004-146 was adopted on motion by Councilmember Orach, second by Councilmember Mariscal, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	Councilmember Patino
ABSTAIN:	None

Resolution No. 2004-146 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING DIRECTOR OF ADMINISTRATIVE SERVICES MICHAEL COX, FOR 21 YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HIM ON HIS RETIREMENT.

Mayor Lavagnino presented the resolution to Director Cox and thanked him for his many years of dedication and commitment to the City.
Director Cox thanked the Council, City Manager Ness, his staff, and his family for their support over the years. He introduced his successor, Lynda Snodgrass.

City Manager Ness commended Mr. Cox for his excellent financial leadership to the City. Mr. Cox is the most thorough individual in every task he undertakes. You can count on his word. He has always had the fiscal interests of the City at heart. If the fiduciary condition of the City relied on one person, it would be Michael Cox. He is fiscally conservative in everything he does. He is a true problem solver. Since Michael has been with the City, the City has won 13 consecutive awards from the Government Finance Officers Association for excellence in financial reporting as well as budgeting awards for the last four, two-year budget cycles. The City came through the hard times in the early 1990s because of Michael Cox.

Councilmember Orach thanked Mr. Cox for his service to the City and said he was very unassuming and a very nice fellow.

Councilmember Trujillo wished Mr. Cox the very best and thanked him for the assistance he had provided and for the City's good financial position.

Councilmember Mariscal also thanked Mr. Cox for taking time to explain the budget to him and wished him the best.

At 6:45 p.m. Mayor Lavagnino called a short recess for refreshments in honor of Michael Cox.

Mayor Lavagnino resumed the meeting at 7:00 p.m.

CONSENT CALENDAR
Councilmember Mariscal requested Item L be pulled for discussion. Councilmember Orach requested Items P and Q be pulled for comment.

Item L – Office of Traffic Safety Grant
Councilmember Mariscal stated he believed this was a crucial grant for the City. There isn't a week that goes by that somebody does not talk about traffic safety. There is a problem in the City with speeding and people believing City streets are freeways. Speed is what is causing the injury accidents in the City. Santa Maria's ranking in speed-related collisions rose 23 percent between 2000 and 2001. It is because of speed and inattention of the driving public.

Councilmember Orach stated he thought there were a lot of people who do "California" stops and run red lights. People have freedom of choice, but they don't have freedom from consequences.

Ernest Armenta asked if that was the total grant or if it included a portion from the City and what the City would do after the grant funding went away.

City Manager Ness explained that there was no City match for the grant. The City is not adding any new positions with the grant. It is to pay for overtime of current police officers and one-time purchases of equipment. This is the second consecutive grant cycle in which the City received funding, and the City will continue to apply for future grants.

Item P – Joint Use Agreement with Santa Maria-Bonita School District
Councilmember Orach indicated the City and School District had been working hard to build these gymnasiums for the joint use of the schools and the City. They are widely needed in the community.

Mayor Lavagnino commented that it was truly through the cooperation of the City and the School District that these gymnasiums were available for the people of Santa Maria.

Councilmember Mariscal commented that the City currently had a very good working relationship with the School District. This is a very good use of taxpayers' dollars.

Ernest Armenta stated the School District already got enough of the taxpayers' money, and he could not support more money going to the School District. The people should be asked if they want City money to go to the School District.

Item 2Q – Allocation of Funds for the El Camino Junior High School Gymnasium
Councilmember Orach stated this was another joint venture between the City and the School District. It is a wonderful use of tax dollars which would not be available to the citizens of Santa Maria without these types of agreements.

Mayor Lavagnino indicated the funding for this project was coming from Growth Mitigation Fees or developer fees and not tax dollars.

City Manager Ness explained that the funding was coming from Growth Mitigation fees, and the construction of one gymnasium had been included in the City's Development Fees Plan. Due to the cooperation with the School District, the City is getting two gymnasiums

for the same amount of money. The school will use them during the day and the City will be able to use them during non-school hours.

Consent Calendar Items A through Q were accepted, approved with the indicated action, and ordered ratified on motion by Councilmember Mariscal, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

A. ORDINANCES
Recommendation of City Staff to waive the reading in full of all ordinances. Ordinances on the Consent Calendar will be adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of July 20, 2004, were approved as submitted.

C. USE OF CITY SEAL/LOGO
Resolution No. 2004-147 was adopted approving guidelines to regulate the permissible use of the City seal/logo.

Resolution No. 2004-147 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE GUIDELINES TO REGULATE THE PERMISSIBLE USE OF THE CITY SEAL/LOGO.

D. BOND RELEASE – SOMERSET GARDENS TOWNHOMES I
Council accepted as complete certain public improvements and authorized the release of a Faithful Performance Bond in the amount of $99,000 for the construction and installation of boundary walls with the order that the Contractor, Labor and Material Bond be held until February 2005 for Somerset Gardens Townhomes I, Tract 5801.

E. BOND RELEASE – SOMERSET GARDENS II
Council accepted as complete certain public improvements and authorized the release of a Faithful Performance Bond in the amount of $79,000 for the construction and installation of boundary walls, with the order that the Contractor, Labor and Material Bond be held until February 2005 for Somerset Gardens II, Tract 5842.

F. WARRANTS
Warrant Nos. 114022 to 114292 in the amount of $2,297,160.20 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 113222, 114006, and 114030 were canceled.

G. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

H. ALCOHOLIC BEVERAGE LICENSE
Council noted and filed a Notice from the California Department of Alcoholic Beverage Control of an application for an Alcoholic Beverage License in an existing warehouse for Vineoaks, LLC located at 2717 Aviation Way, Suite E-17.

I. ORDINANCE NO. 2004-09 and 2004-10
Council conducted the second reading of Ordinance No. 2004-09, changing the zoning, and Ordinance 2004-10, amending Section 3 of the Blosser Southwest Specific Plan, for the Moretti Property located north of Sonya Lane, east of "A" Street., west of Blosser Road, and south of La Brea Avenue within the Blosser Southwest Specific Plan, and adopted the ordinances.

Ordinance No. 2004-09 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING THE MORETTI PROPERTY, AREA 6B, LOCATED NORTH OF SONYA LANE, EAST OF "A" STREET, WEST OF BLOSSER ROAD, AND SOUTH OF LA BREA AVENUE WITHIN THE BLOSSER SW SPECIFIC PLAN.

Ordinance No. 2004-10 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AMENDMENTS TO SECTION 3 OF THE BLOSSER SOUTHWEST SPECIFIC PLAN FOR THE MORETTI PROPERTY, AREA 6B, SPZ-2003-002, E-2003-022, LOCATED NORTH OF SONYA LANE, EAST OF "A" STREET, WEST OF BLOSSER ROAD, AND SOUTH OF LA BREA AVENUE WITHIN THE BLOSSER SW SPECIFIC PLAN.

J. ORDINANCE NO. 2004-11
Council conducted the second reading of Ordinance No. 2004-11, changing the zoning for the Caron/L&S Land Company Project located in the 2200-2300 block of "A" Street, and adopted the ordinance.

Ordinance No. 2004-11 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING 12.71 ACRES OF PROPERTY LOCATED IN THE 2200-2300 BLOCK OF "A" STREET, ASSESSOR'S PARCEL NO. 111-040-004.

K. REIMBURSABLE SERVICES AGREEMENT
Resolution No. 2004-148 was adopted authorizing a contract for the assignment of a police lieutenant to manage the Allan Hancock Joint Community College District Police Department.

Resolution No. 2004-148 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE CHIEF OF POLICE TO EXECUTE A CONTRACT FOR THE ASSIGNMENT OF A POLICE LIEUTENANT TO MANAGE THE ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT POLICE DEPARTMENT.

L. OFFICE OF TRAFFIC SAFETY GRANT
Resolution No. 2004-149 was adopted approving an appropriation of $146,667 to be allocated to the Police Department through an Office of Traffic Safety Grant.

Resolution No. 2004-149 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE APPROPRIATION OF $146,667 TO BE ALLOCATED TO THE SANTA MARIA POLICE DEPARTMENT UNDER THE PROVISIONS OF THE OFFICE OF TRAFFIC SAFETY GRANT AL0580.

M. NOTICE OF COMPLETION
Council approved the filing of a Notice of Completion for the Community Media Center, Bid No. 2004/03.

N. NOTICE OF COMPLETION
Council approved the filing of a Notice of Completion for the Santa Maria/Guadalupe Dunes Levee Bikeway – Phase II, Bid No. 2003/04.

O. AWARD OF BID
Resolution No. 2004-150 was adopted approving a contract with Intermountain Slurry Seal, Inc. for the budgeted public works project, Street Maintenance (Chip Seal) – 2004, Bid No. 2004/14.

Resolution No. 2004-150 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH INTERMOUNTAIN SLURRY SEAL, INC. FOR STREET MAINTENANCE (CHIP SEAL) 2004, BID NO. 2004/14.

P. JOINT USE AGREEMENT
Resolution No. 2004-151 was adopted approving a joint use agreement between the City and the Santa Maria-Bonita School District for the use of the Tommie Kunst Junior High School Gymnasium and North Preisker Ranch Park.

Resolution No. 2004-151 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGREEMENT WITH THE SANTA MARIA-BONITA SCHOOL DISTRICT FOR THE JOINT USE OF TOMMIE KUNST SCHOOL AND THE CITY PARK AT NORTH PREISKER RANCH.

Q. ALLOCATION OF FUNDS
Resolution No. 2004-152 was adopted approving the allocation of funds to complete the City's commitment to construct a joint use community gymnasium project with the Santa Maria-Bonita School District for the El Camino Junior High School.

Resolution No. 2004-152 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING AN AGREEMENT BETWEEN THE SANTA MARIA-BONITA SCHOOL DISTRICT AND THE CITY OF SANTA MARIA TO JOINTLY DEVELOP AND OPERATE A COMMUNITY GYMNASIUM ON EL CAMINO SCHOOL SITE.

PUBLIC COMMENT
Salvador Gascon announced his candidacy for City Council.

Bob Ziener spoke regarding the need for more community support of the Santa Maria Public Airport.

Ernest Armenta spoke regarding comments made at the last meeting about renters and also encouraged people to register and vote.

Tom Gibbons asked for support for the residents of San Diego Drive regarding the problems with oil contamination.

David White submitted a list of questions regarding the oil contamination at Harvest Ranch Subdivision and asked for a response to his questions.

W. F. Bigler expressed concerns regarding Comcast Cable service.

Pete Moraza talked about problems with Comcast Cable service at Marian Extended Care.

Joan Leon spoke regarding Comcast Cable's bills.

FINANCIAL REPORT – FOURTH QUARTER
Director of Administrative Services Cox gave the staff report. This quarterly financial report completes fiscal year 2003-04. The report concentrates on the General and Water Resources Funds and indicates no overall material budget variances. With 100 percent of the year complete, revenues are higher than budgeted and on track with the prior year. Revenues received were $6 million or 12.3 percent higher than last year at this time, while expenditures were $5.4 million or 15.7 percent higher than the prior year. The top five

revenue sources account for 73 percent of the total General Fund and include sales tax; vehicle license fees; property tax; hotel/bed tax; and licenses, permits and fines. The Water/Wastewater Fund has long-term commitments to purchase State Water through the year 2035 and is on track with meeting its commitments. Total annual payments range from $17 million to $24.5 million.

Staff is also proposing a budget amendment which will approve personnel and operational changes for 2004-05, as well as increase appropriations and revenues in the Recreation and Park's budget to reflect the receipt of $50,000 in State grant funding for the Trees for Millennium Project.

Councilmember Orach indicated that under the Public Works section it talked about maintenance being delayed and asked if that meant that the projects were being put off or just hadn't commenced yet.

Director Cox explained they were projects that the City anticipated starting last fiscal year but didn't. They would be starting during this fiscal year.
Councilmember Orach indicated he was pleased that the amount of money the City had in retention for closure of the landfill was almost enough to complete the work.

Councilmember Mariscal stated the City of Santa Maria was on the lowest end of what cities received in property tax. Santa Maria only gets $.11 for every dollar of property tax collected. It is the creativity of City staff that allows the City to be in the financial condition it is now.

Resolution No. 2004-153 was adopted approving personnel and operational changes as part of the 2004-05 budget on motion by Councilmember Orach, second by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-153 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, APPROVING PERSONNEL AND OPERATIONAL CHANGES FOR 2004-05.

Ernest Armenta asked about the budget amendment regarding the increase of one Police Lieutenant for Allan Hancock College and asked why the person would be a City employee when he was going to be the Chief of Police for the college.

City Manager Ness explained that for the past eight months, a City Police Lieutenant had been acting as the college Chief of Police on a part-time basis while the college recruited for a new Chief of Police. The recruitment was not successful. The college will be fully reimbursing the City for all costs. The Police Lieutenant will be a City employee dedicated to the college.

CHAMBER OF COMMERCE YEAR-END REPORT
Mr. Robert Hatch, Chief Executive Officer, commended and thanked Michael Cox for his assistance over the years, introduced the members of his Board who were present, and introduced Ms. April Tunnell, Visitor and Convention Bureau Manager who presented the Year-End Report. Hotel occupancy in the Santa Maria Valley continued to increase. There was a 16 percent increase in Transient Occupancy Tax (TOT) collections over last year. The total TOT collected was $2,075,463.46 during the fiscal year. The Visitor and Convention Bureau and Film Commission unveiled the results of their 2003-04 Visitor Survey. The survey concluded that there was a noticeable increase in the advertising impact of the Santa Barbara County Visitors Guide and the Internet for reaching and attracting new visitors to the County. The Bureau has developed several new promotional pieces including brochures on Santa Maria Valley dog-friendly accommodations and outdoor adventures, Santa Maria Valley ranch and agriculture tours, and romantic getaways. The Bureau's web site now includes various aspects of the wine industry from wine production to the art of tasting and enjoying fine wines. The web site received 335,569 hits during 2003-04, a 7 percent increase over the same period

last year. The advertising media concentrated on the western United States, Canada, the greater Los Angeles area and Central Valley regions. Advertising placement included publications, brochures and newspapers. In March, the Bureau welcomed a new Public Relations team, Mooncatcher Communications, to assist with media relations including providing information about Santa Maria to targeted travel and trade media; building positive relationships between Santa Maria and influential travel writers and editors; developing effective media collateral materials; responding to media inquiries, and coordinating media outreach. The public relations team worked with various travel writers, television producers, and radio personalities to generate travel-related stories on the Santa Maria Valley. As part of the Bureau's local promotions efforts, KSBY highlighted the City of Santa Maria in a one-hour "road show" segment that focused on the area's economy, events, industry developments and world famous barbecue. Throughout the second half of the fiscal year, the Special Projects Grant Program allocated over $20,000 to a variety of organizations and events in the Santa Maria Valley which bring visitors to the City. The Santa Maria Philharmonic Society used their grant money to create a website to promote their seasonal performances and special events. The Special Projects grant also helped fund new promotional materials for the Santa Maria Fairpark.

Council commended the Chamber of Commerce on their efforts and on their report.

The report was received and filed.

COMCAST CABLE TV PRESENTATION

Stephen Sawyer, Director of Governmental Affairs for Comcast, indicated he would be following up with the three people who spoke under Public Comment and trying to address their concerns. To follow up with City's not having any authority over cable rates any longer, part of the intention with Congress was to allow the market place to make those determinations. There is competition in the marketplace. Comcast is very price sensitive and package sensitive. He introduced the new Vice President and General Manager for the North Santa Barbara County area, Cristina Villanueva, and the Technical Manager, Bob Guzman.

Cristina Villanueva gave a brief presentation on the Comcast system upgrade project. Comcast is the largest and most progressive cable operator in the United States. Comcast prides itself in being locally focused and locally operated. Comcast started the upgrade in December of 2003 and it was completed in April of 2004. A total of 210 plant miles and 38 nodes, or pockets, which will be able to serve approximately 600 homes per pocket were upgraded. They constructed a new head-end with all new video, audio, digital, and data processing electronics. The new head-end is supported by an interrupted power supply. The upgrade included a state of the art hybrid fiber coaxial bi-directional telecommunications network. Over 140 miles of fiber optic communications cable have been installed. This network expanded the band width so Comcast can now carry over 80 plus analog channels. As a result of the upgrade, Comcast now has the ability to offer over two hundred channels including nine high-definition channels and high-speed internet service. Some of the new services that will be available in the future are digital video recorder service, an interactive TV guide which will allow parental control, and Hispanic tiers to serve the Hispanic community. For high-speed internet service, Comcast will be offering a speed tier which provides more options for customers. They will be contracting with retail stores such as Best Buy, Circuit City, Office Depot, and other independent retail stores to be able to offer some of their services.

As Comcast has gone through the rebuild, it also looked at internal procedures. During the upgrade, Comcast experienced a significant increase in customer calls which created a significant strain on personnel. Since then, they have added approximately 70 percent more staff, and they are providing training both technical and product related. They have restructured customer personnel schedules to best meet the customers needs. They have consolidated separate phone lines into one rotary group and increased inbound telephone lines by 45 percent. They have also launched an on-line reference tool for the customer service representatives. Their customer service representatives are receiving training specifically geared to excellent customer service to provide individualized service to each customer. They are moving away from strict policies and procedures, and want to be able to listen more effectively to customers to better serve their needs. Their end goal is to provide quality products and services and maintain positive interaction with their customers. Comcast's main focus over the last year and a half has been the upgrade project and the focus now is to complete the rebuild within all the franchise areas and ensure that the plant is functioning properly. In regard to a basic tier plan and customer choice, Comcast will be

evaluating their packages from a business prospective and a customer prospective in the future.

Councilmember Orach asked when they expected to have the upgrade completed.

Ms. Villanueva replied they anticipated having it completed in 60 to 90 days.

Councilmember Mariscal asked for clarification on why Comcast was not planning to evaluate their packages until the rebuild was completed.

Ms. Villanueva explained that at this time all their resources were focused on completing the rebuild. They needed to look at everything from a business prospective and see where they ended up in total. Now that she is on board in a leadership position, they will be able to start looking at packaging.

Councilmember Mariscal stated he really wanted to tie Comcast down on a commitment to move forward with some type of basic programming package for the citizens of Santa Maria. Santa Maria has citizens who are very interested in utilizing Comcast's service; but at a basic cost of $45.00 a month, it has gotten too expensive. Many of the citizens do not utilize all the channels that have been placed on the system. He asked when Comcast would be establishing a basic tier system in the Santa Maria franchise area.

Ms. Villanueva stated she could guarantee they would evaluate that, but their overall objective was to ensure Comcast is competitive and that they are able to offer the products they think will be competitive with satellite.

Councilmember Mariscal asked when they might be able to put a basic package into place.

Ms. Villanueva stated she could address when they could evaluate that, but not when it might go into effect. Within 90 days they would be able to evaluate it and make a determination on what makes good business sense.

Councilmember Mariscal asked if there would be any financial relief for the people who might want the basic package from now until a basic package was instituted.

Ms. Villanueva indicated there would not be.

Councilmember Mariscal stated he was surprised there were not more people in the audience because the perception was that Comcast didn't care. The speakers tonight were representative of hundreds of people in the Valley who are dissatisfied with the service. He asked what she could say that would help the citizens of Santa Maria feel better about Comcast.

Ms. Villanueva stated the significant difference is that the employees have leadership now. Comcast has various programs within the organization that are focused on the customer. From a training prospective they are focusing on that. She recognizes, as the new General Manager, the need for customer service training. She will be working with all her employees to overemphasize how to interact with the customer. Comcast's customer service representatives are currently in a two-week intensive training program with customer service specialists.

Councilmember Mariscal asked if the bi-directional coaxial fiber optic combination cable took the signal to the node itself, and if Comcast was also running new cable from the nodes to each individual house that they served.

Mr. Guzman explained that Comcast had 38 optical nodes in Santa Maria which serves about 600 homes each. It is all RF cable from the node to the customer's home. Some of the cable in the homes is antiquated and doesn't always work right. On a case by case basis in Santa Maria, Comcast was addressing those issues. If the cable did not meet the minimum technical standards, it would be replaced at no cost to the customer.

Councilmember Mariscal asked Ms. Villanueva to address the issue of placing the new cable boxes in people's front yards.

Ms. Villanueva explained that Comcast owned the right-of-way area where the boxes were placed.

Council thanked Comcast staff for their report.

ZONING AMENDMENT FOR CHURCH USE

Director of Community Development Lindsey gave the staff report. In February 2002, the City Council adopted an ordinance for rezoning 11.84 acres to Planned Development/Commercial Manufacturing with a list of uses that were permitted, conditionally permitted, and prohibited in the Meyer "A" Street Project. On June 7, 2004, the Korean Presbyterian Church submitted a zone change application to amend the list of uses permitted, conditionally permitted, and prohibited to allow churches. The applicant requests that churches be made a permitted use. The Planning Commission adopted Resolution No. 2339 recommending the City Council approve the zoning amendment. The Planning Commission also agreed with the staff recommendation to make church expansions that need off-site parking to meet the required standards a conditional use.

Mayor Lavagnino opened the public hearing.

Mr. Gordon Gill, representing the Korean Presbyterian Church, spoke in favor of the amendment.

Hearing no further public testimony, Mayor Lavagnino closed the public hearing.

Ordinance No. 2004-12 was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, second by Councilmember Trujillo, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	Councilmember Patino
ABSTAIN:	None

Ordinance No. 2004-12 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA AMENDING THE LIST OF PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED USES FOR THE 11.84 ACRE MEYER "A" STREET PROJECT, LOCATED AT THE SOUTHEAST CORNER OF "A" STREET AND BETTERAVIA ROAD.

ZONING TEXT AMENDMENT FOR R-2 ZONING DISTRICT

Director of Community Development Lindsey gave the staff report. The R-2 zoning district currently requires 3,000 square feet of net land area per dwelling unit. In order to place two dwelling units on a property, a lot must have a minimum parcel size of 6,000 square feet. Properties that are less than 6,000 square feet could only have one unit, even if they could meet all of the other development standards such as parking, open space, and landscaping. One of the goals of the Mayor's Housing Task Force was to find ways to increase density, especially within the infill areas of the City. In order to promote this infill development in the R-2 zone, staff and the Planning Commission recommend adding a paragraph to Chapter 7 of the Municipal Code which would allow two dwelling units on lots of 6,000 square feet or less provided all setback, open space, landscaping, and parking requirements of the R-2 zone could be met.

Councilmember Orach asked how many R-2 lots would qualify under this amendment.

Director Lindsey replied probably between 25 and 50, mostly within the original town site area.

Mayor Lavagnino opened the public hearing.

Hearing no testimony, Mayor Lavagnino closed the public hearing.

Resolution No. 2004-154 was adopted approving a Negative Declaration for E-2004-035 on motion by Councilmember Trujillo, second by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-154 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION (E-2004-035) FOR ZONING TEXT AMENDMENTS, Z-2004-001.

Ordinance No. 2004-13 was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Trujillo, second by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Ordinance No. 2004-13 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO CHAPTER 7 (R-2 ZONING DISTRICT) OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE, Z-2004-001.

MEDIA CENTER

Assistant City Manager Haydon gave the staff report. The new Santa Maria Media Center at 910 S. Oakwood Drive will soon be opened to the public. Staff is proposing Policies and Procedures, as well as fees and charges pertaining to the operation of the Media Center. This will assist staff, access producers, and other users of the Media Center to understand the Center's operations, follow established guidelines and safeguard valuable equipment. A similar staff report is being simultaneously brought before the Lompoc City Council for consideration at its August 3rd meeting. Since agreeing on September 2, 2003, to a Memorandum of Understanding for PEG access and programming, both the cities of Santa Maria and Lompoc have continued to work together to develop media centers for PEG access programming operations. Because this is a new venture for both the cities of Lompoc and Santa Maria, staff developed proposed guidelines, fees and charges based upon precedents set by other cable television access facilities. The fees and charges include: annual membership fees for individuals residing in Santa Maria, nonprofits or institutions based in Santa Maria, individuals residing outside of Santa Maria, and nonprofits or institutions based outside of Santa Maria; equipment checkout security deposits; Television Access Partners (TAP) TV workshops; a cancellation charge for studio cancellation without adequate notice; and a charge for late equipment return. The proposed policies and procedures explain in detail the mission of TAP TV, define what it is and what is allowed on PEG channels for broadcast, and provide operational guidelines for users to follow. The operational guidelines include user requirements, conditions for use, parameters for studio reservations, and standards for conduct.

Mayor Lavagnino stated he had seen on the news that people in Lompoc were unhappy with the 60 – 40 percent split, but Lompoc only had a population of 40,000 compared to Santa Maria's 85,000.

Assistant City Manager Haydon explained that the split was determined based on number of subscribers rather than population.

Mayor Lavagnino opened the public hearing.

Ernest Armenta asked about the make up of the TAP TV Board and suggested the City advertise in the newspaper for applicants to serve on the Board.

Assistant City Manager Haydon explained that in September 2003 the City entered into a Memorandum of Understanding with Lompoc which required the PEG Board of Directors to have two people from Santa Maria and two from Lompoc. The action of the Council would authorize the City Manager to appoint the two Santa Maria representatives.

Ernest Armenta asked that the City Council hear appeals from people unhappy with the TAP Board of Directors decisions.

Hearing no further comments, the public hearing was closed.

Resolution No. 2004-155 was adopted approving fees and charges, operational policies and procedures, and authorizing the appointment of representatives to oversee the media center operations on motion by Councilmember Mariscal, second by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-155 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING CREATION OF FEES AND CHARGES, APPROVING OPERATIONAL POLICIES AND PROCEDURES, AND AUTHORIZING THE APPOINTMENT OF REPRESENTATIVES TO OVERSEE THE PUBLIC, EDUCATION AND GOVERNMENT (PEG) CABLE ACCESS PROGRAMMING OPERATIONS.

REPORT BY CITY MANAGER

City Manager Ness reported on items for the August 17, 2004, City Council meeting including a presentation by Ed Moses from the County on the creation of a new Economic Development Authority; the Economic Development Association's Year-End Report; the Workforce Housing Report; and an appointment to the All-America City Committee.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS

Councilmember Mariscal thanked the City for sending him and Councilmember Orach to Monterey for a very good conference.

CLOSED SESSION

The City Council recessed at 9:10 p.m. to a Closed Session for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria; and Conference with Labor Negotiator pursuant to Government Code Section 54957.6 regarding unrepresented Department Heads.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report.

Conference with Labor Negotiator - Direction to staff.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 9:44 p.m. by order of Mayor Lavagnino.

APPROVED August 17, 2004
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST:
Chief Deputy City Clerk

Mayor of the City of Santa Maria